

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

In re:	)	Chapter 11
	)	
BAY CIRCLE PROPERTIES, LLC, <i>et al.</i> , <sup>1</sup>	)	Case No. 15-58440-wlh
	)	
Debtors.	)	(Jointly Administered)
	)	

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**BAY POINT CAPITAL PARTNERS, LP'S  
LIMITED OBJECTION TO DEBTORS' MOTION TO AUTHORIZE SALE**

Bay Point Capital Partners, LP ("Bay Point"), by and through the undersigned counsel, hereby files this Limited Objection to NRCT LLC's Motion to Authorize Sale (the "Sale Motion") (Doc. No. 793). In support thereof, Bay Point respectfully shows the Court:

**OBJECTION**

As noted in the Court's decision dated November 7, 2017, concerning the claims of Good Gateway LLC and SEG Gateway LLC (Doc. No. 797, p. 13), Bay Point has claims for indemnity that are secured by NRCT LLC's property. The Sale Motion proposes to sell NRCT LLC's property (the "Property"). Bay Point has no objection to the sale itself. However, Bay Point does object to any distribution of the funds realized from the sale of the Property, as Bay Point's lien against the Property would be transferred to the proceeds from the sale. Accordingly, Bay Point objects to the Sale Motion to the extent any costs beyond standard closing costs, real estate transfer taxes, and real estate brokers' commissions are to be paid from the proceeds of the sale.

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<sup>1</sup> The Debtors and the last four digits of their respective taxpayer identification numbers are as follows: Bay Circle Properties, LLC (1578), DCT Systems Group, LLC (6978), Sugarloaf Centre, LLC (2467), Nilhan Developers, LLC (6335), and NRCT, LLC (1649) and are collectively referred to herein as "Debtors").

Instead, Bay Point requests that the Court condition the sale on a requirement that all proceeds net of the aforementioned standard closing costs are segregated and escrowed pending adjudication of Bay Point's indemnity claims.

Respectfully submitted this 7th day of November 2017.

/s/ John F. Isbell

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this day electronically filed the foregoing BAY POINT CAPITAL PARTNERS, LP'S LIMITED OBJECTION TO DEBTORS' MOTION TO AUTHORIZE SALE with the Clerk of Court using the CM/ECF system which will provide automatic notification of such filing to the following:

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This 7th day of November 2017.

/s/ John F. Isbell

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